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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: NEUROPACE, INC.

Application No./Patent No.: App. No. 10/625,829 Filed/Issue Date: Filed July 22, 2003

Entitled: SYSTEM AND METHOD FOR CONTROLLING NEUROLOGICAL DISORDERS WITH SPATIALLY SEPARATED DETECTION AND THERAPY LOCATIONS

NEUROPACE, INC., a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

March 4, 2004

Date

650-237-2700

Telephone number

Benjamin D. Pless

Typed or printed name

B. D. Pless

Signature

Chief Technical Officer

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ASSIGNMENT

For good and valuable consideration, the receipt of which is acknowledged, we, **Benjamin D. Pless**, of 5 Ridgeview Drive, Atherton, California 94027, **Robert E. Fischell**, of 14600 Viburnum Drive, Dayton, Maryland 21036, and **David R. Fischell**, of 71 Riverlawn Drive, Fair Haven, New Jersey 07704 (together the "Assignors"), do hereby sell, assign, and transfer to **NeuroPace, Inc.**, a corporation duly organized under and pursuant to the laws of the state of Delaware and having a principal place of business at 255 Santa Ana Court, Sunnyvale, California 94085 ("Assignee"), the entire right, title, and interest, together with all rights of priority, in and to our Inventions described and claimed in our application for Letters Patent of the United States entitled **SYSTEM AND METHOD FOR CONTROLLING EPILEPTIC SEIZURES WITH SPATIALLY SEPARATED DETECTION AND STIMULATION ELECTRODES**, filed in the United States Patent and Trademark Office on November 28, 2000, and assigned Serial No. 09/724,805, and as described and claimed in any and all applications for Letters Patent in the United States and all foreign countries, together with all Letters Patent issuing on any of the aforesaid applications for Letters Patent, all to be held and enjoyed by Assignee, its successors, assigns, or other legal representatives, to the full ends of the terms of all said Letters Patent which may be granted, as fully and entirely as the same would have been held and enjoyed by the Assignors had this Assignment not been made.

We hereby authorize Assignee to make applications for and to receive Letters Patent for said Inventions in any of said countries in its own name, or in ours, at its election.

We hereby covenant and agree that at the time of execution and delivery of this Assignment, the Assignors are the sole and lawful owners of the entire right, title, and interest in and to said Inventions and applications for Letters Patent, and that the same are unencumbered and that the Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

We hereby further covenant and agree that we will execute or procure any further necessary assurance of the titles to said Inventions and any Letters Patent which may issue therefor and that we will at any time, upon the request and at the expense of Assignee, deliver any testimony in any legal proceeding and execute all papers that may be necessary or desirable to perfect the title to, procure, maintain, enforce, or defend said Inventions or any Letters Patent thereon which may be granted to Assignee and its successors, assigns, or other legal representatives, and we will at any time, upon the request and at the expense of Assignee, execute any continuations, continuations-in-part, divisional, reissue, extension, or any other applications for Letters Patent for said Inventions or any part or parts thereof, all of which applications and any Letters Patent issuing thereon are hereby assigned to Assignee, and will make all rightful oaths, execute all papers, and do all rightful acts requisite for procuring, maintaining, enforcing, and defending the same without further compensation, but at the expense of Assignee, its successors, assigns, or other legal representatives.

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States for said Inventions resulting from any of the aforesaid applications to **NeuroPace, Inc.**, as sole Assignee, for the sole use and enjoyment of said Assignee, its successors, assigns, or legal representatives.

Benjamin D. Pless
Benjamin D. Pless

6-27-2001
Date

Robert E. Fischell
Robert E. Fischell

6/23/01
Date

David R. Fischell
David R. Fischell

6/7/01
Date



PTO/SB/01A (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 09/724,805, filed on November 28, 2000,
☐ as amended on _____ (if applicable);

We believe that we are the original and first inventors of the subject matter which is claimed and for which a patent is sought;

We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: Benjamin D. PlessSignature: B. D. PlessCitizen of: United StatesInventor two: Robert E. FischellSignature: Robert E. FischellCitizen of: United StatesInventor three: David R. FischellSignature: David R. FischellCitizen of: United States

Inventor four: _____

Signature: _____

Citizen of: _____

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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PTO/SB/80 (12-03)

Approved for use through 11/30/2005. OMB 0651-0035

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POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby appoint:

☒ Practitioners associated with the Customer Number:

26,876

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Assignee Name and Address:

NEUROPACE, INC.
1375 Shorebird Way
Mountain View, California 94043

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Benjamin D. Pless		
Signature		Date	March 4, 2004
Title	Chief Technical Officer	Telephone	650-237-2700

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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